

### **REMARKS/ARGUMENTS**

Claims 1 through 16, 20, 21, 22 and 24 through 28 remain pending in the application. Claims 17 through 19, 23 and 29 are hereby canceled. Claims 20 and 24 through 28 are hereby amended.

#### **Summary of Office Action mailed March 7, 2007**

Claims 1 through 29 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 7,043,530 (issued May 9, 2006) to Isaacs, et al. [hereinafter “*Isaacs*”]. See USPTO Office Action, page 2 (mailed Mar. 7, 2007), [hereinafter “Mar. 7<sup>th</sup> OA”].

#### **Summary of *Isaacs***

*Isaacs* is concerned with sending so-called “carcons” which are melodies used as sound instant messages. See *Isaacs*, col. 2, lines 1-8. *Isaacs* is concerned with message recipients only to the extent of whether a given recipient has received a message initially. See *Isaacs*, col. 1, lines 60-65. A message recipient may send an acknowledgment message to confirm receipt of a pending message. See *Isaacs*, col. 3, lines 1-4; col. 12, lines 1-6. One of the earcons may be considered a “personal sound identifier” so that sound message may be associated with the particular sender. See *Isaacs*, col. 4, lines 1-5.

Each earcon is assigned a unique identifier, such as a numerical identification, so that it may be referenced at a later time, by storing it on a recipient machine and calling it in subsequent messages. See *Isaacs*, col. 7, lines 1-35; col. 1-14. The identifiers of the earcons are identifiers of the sender and not identifiers of the recipient. See *Isaacs*, col. 8, lines 1-6.

When a sender sends a message containing an earcon reference, the recipient client may check for the sender’s earcon sound files by comparing the unique identifier of the sound

message with the sound messages stored on the receiving user's device. See Isaacs, col. 8, lines 37-43. A request for missing sound files may be made by the receiving user via "specialized software on the receiving user's device." See Isaacs, col. 8, lines 44-46.

Messages may also have an assigned sequence number where clients assign monotonically increasing sequence numbers to subsequent messages See Isaacs, col. 13, lines 25-28. This appears to be only to keep track of whether the messages were received and acknowledged so that they can be resent if needed. See Isaacs, col. 16, lines 1-6. In this case message recipients (clients) are noted by the sender in a list of messages sent at the sending client. See Isaacs, col. 16, line 1-30.

Independent claims 1, 20, 24 and 28

Regarding independent claim 1, Isaacs does not disclose "a plurality of recipient identifiers wherein the order of said plurality of recipient identifiers corresponds to an order of custody of said message by said recipients."

The sending and receiving devices and earcon messages of *Isaacs* are distinguishable from the Applicant's claims because a "plurality of recipient identifiers wherein the order of said plurality of recipient identifiers corresponds to an order of custody of said message by recipients, and wherein recipients are unable to edit said plurality of recipient identifiers" is not disclosed by *Isaacs*.

Regarding independent claim 20 as amended, *Isaacs* does not disclose a server transmitting "an audit identifier to a message originator communications device via a network, said audit identifier for tracking resending or forwarding of said message. "

Regarding independent claim 24 as amended, Isaacs does not disclose “transmitting by said first recipient electronic device, a message log update, said message log update indicating that said message has been retransmitted to said at least said second recipient electronic device.”

Regarding independent claim 28 as amended, *Isaacs* does not disclose “receiving from a server an audit identifier, said audit-identifier useful for tracking resending or forwarding of a message attachment; embedding said audit identifier into said message attachment; encrypting said message attachment; and encrypting said message header.”

Reconsideration and withdrawal of the 35 U.S.C. § 102(e) rejection of independent claims 1, 20, 24 and 28 is respectfully requested.

#### Dependent claims

Claims 2 through 16 are dependent claims that directly or indirectly depend from, and include all limitations of, claim 1 as amended. Claims 21 and 22 are dependent claims that directly or indirectly depend from, and include all limitations of, claim 20 as amended. Claims 25 - 27 are dependent claims that depend from, and include all limitations of, claim 24 as amended.

Therefore, reconsideration and withdrawal of the 35 U.S.C. § 102(e) rejection of claims 2 through 16, 21, 22 and 25 through 27 is respectfully requested for the same reasons provided above with respect to the corresponding independent claims 1, 20 and 24.

## CONCLUSION

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. Also, no amendment made was for the purpose of narrowing the scope of any claim, unless Applicant(s) has/have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Commissioner is hereby authorized to deduct any additional fees arising as a result of this response, including any fees for Extensions of Time, or any other communication from or to credit any overpayments to Deposit Account No. 50-2117.

It is submitted that the claims clearly define the invention, are supported by the specification and drawings, and are in a condition for allowance. Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Should the Examiner have any questions or concerns that may expedite prosecution of the present application, the Examiner is encouraged to telephone the undersigned.

Respectfully submitted,  
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